

**United States Bankruptcy Court  
for the Southern District of Texas**

**Houston Division**

In re	<b>Sokona Diallo</b>	Case No.	<b>22-33351-H1-13</b>
	Debtor(s)	Chapter	<b>7</b>
	<b>Okechkwu Chibuzo Onuoha</b>		
	Plaintiff,	Adversary	<b>23-03145</b>
	<b>Sokona Diallo</b>	No.	
	Defendant.		

**JOINT RULE 26(f) DISCOVERY/CASE MANAGEMENT PLAN**

**1. State where and when the meeting of the parties required by Rule 26(f) was held, and identify the counsel who attended for each party.**

The meeting was held on September 27, 2023. The meeting was conducted via Zoom conference between Troy J. Wilson, attorney for the Plaintiff, Okechkwu Chibuzo Onuoha and Emil R. Sargent, attorney for the Defendant, Sokona Diallo.

**2. List the cases related to this one that are pending in any state or federal court with case number and court.**

None at this time.

**3. Briefly describe what this case is about.**

Whether Defendant's debt to Plaintiff is dischargeable pursuant to Sections 523(a)2, 523(a)(4) and/or 523(a)(6) and Whether Defendant is entitled to a discharge pursuant to 727(a).

**4. Specify the allegation of federal jurisdiction.**

This court has jurisdiction of this case to determine the disputed issues pursuant to 28 U.S.C. Section 1334 and 28 U.S.C. Section 157. This is a core proceeding pursuant to 28 U.S.C. Section 157(b)(2)(A). This court has original jurisdiction to this action pursuant to 28 U.S.C. Section 1334 because it is "related to" the Debtor's bankruptcy proceeding. Plaintiff filed this lawsuit pursuant to Rules 7001 and 9006 of the Federal Rules of Bankruptcy Procedure and 11 U.S.C. Sections 523(a)(2)(A) and 523(A)(6). Moreover, venue is proper in the Southern District of Texas because of the underlying chapter 7 bankruptcy proceeding.

**5. Name the parties who disagree and the reasons.**

The parties agree that this court has jurisdiction of the disputed issues.

**6. List anticipated additional parties that should be included, when they can be added, and by whom they are wanted.**

The parties agree that no additional parties are needed to adjudicate the issues.

**7. List anticipated interventions.**

The parties agree that neither anticipate any interventions.

**8. Describe class-action issues.**

The parties agree that there are no class-action issues.

**9. State whether each party represents that it has made the initial disclosures required by Rule 26(a). If not, describe the arrangements that have been made to complete the disclosures.**

The parties have not yet made their Rule 26(a) disclosures, but agree to do so by October 25, 2023.

**10. Describe the proposed agreed discovery plan, including:**

**a. Responses to all the matters raised in Rule 26(f).**

The parties only anticipate the propounding of interrogatories, request for production, request for admissions and the taking of depositions.

**b. When and to whom the plaintiff anticipates it may send interrogatories.**

Plaintiff anticipates sending Defendant interrogatories within thirty days.

**c. When and to whom the defendant anticipates it may send interrogatories.**

Plaintiff anticipates sending Defendant interrogatories within thirty days.

Defendant anticipates sending Plaintiff interrogatories within thirty days.

**d. Of whom and by when the plaintiff anticipates taking oral depositions.**

Plaintiff may take the deposition of Defendant after receipt of Defendant's answers to interrogatories.

**e. Of whom and by when the defendant anticipates taking oral depositions.**

Defendant anticipates the taking of deposition of Plaintiff after receipt of Plaintiff's answers to interrogatories and responses to request for production.

**f. When the plaintiff ( or the party with the burden of proof on an issue) will be able to designate experts and provide the reports required by Rule 26(a)(2)(B), and when the opposing party will be able to designate responsive experts and provide their reports.**

The parties do not anticipate designating any experts.

**g. List expert depositions the plaintiff (or the party with the burden of proof on an issue) anticipates taking and their anticipated completion date. (See Rule 26(a)(2)(B) (expert report).**

Plaintiff does not anticipate taking any expert depositions.

- h. List expert depositions the opposing party anticipates taking and their anticipated completion date. See Rule 26(a)(2)(B) (expert report)**

Defendant does not anticipate taking any expert depositions.

- 11. If the parties are not agreed on a part of the discovery plan, describe the separate view and proposals of each party.**

The parties are in agreement with respect to the discovery plan.

- 12. Specify the discovery beyond initial disclosures that has been undertaken to date.**

Neither party has conducted any discovery to date.

- 13. State the date the planned discovery can reasonably be completed.**

Defendant anticipates that discovery can be completed by December 15, 2023.

- 14. Describe the possibilities for a prompt settlement or resolution of the case that were discussed in your Rule 26(f) meeting.**

The parties do not think that there are any possibilities for a prompt settlement or resolution of this case.

- 15. Describe what each party has done or agreed to do to bring about a prompt resolution.**

The parties have discussed the possibility of a potential settlement and discussions are continuing.

- 16. From the attorney's discussion with the client, state the alternative dispute resolution techniques that are reasonably suitable, and state when such a technique may be effectively used in this case.**

Plaintiff does not think that mediation is a suitable technique. Defendant thinks that mediation may be a suitable technique.

- 17. Magistrate judges may now hear jury and on-jury trials. Indicate the parties' joint position on a trial before a magistrate judge.**

The parties are opposed to a magistrate hearing this case. Specifically, because of the judges familiarity with the bankruptcy rules.

- 18. State whether a jury demand has been made and if it was made on time.**

Neither party has made a demand for a jury.

- 19. Specify the number of hours it will take to present the evidence in this case.**

Plaintiff anticipates that it will take one hour.

Defendant anticipates that it will take 2-3 hours.

20. **List pending motions that could be ruled on at the initial pre-trial and scheduling conference.**

Neither party has any pending motions at this time.

21. **List other motions pending.**

Neither party has any other pending motions.

22. **Indicate other matters peculiar to this case, including discovery, that deserve the special attention of the court at the conference.**

The parties not aware of any other peculiar matters that deserve the special attention of the court at the conference.

23. **List the names, bar numbers, addresses and telephone numbers of all counsel.**

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Respectfully submitted:

Date: October 4, 2023

Signature /s/ Troy J. Wilson  
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Attorney for Plaintiff

Date: October 4, 2023

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Attorney for Defendant

**CERTIFICATE OF SERVICE**

I hereby certify that on October 4, 2023, a copy of Joint Rule 26(f) Discovery/Case Management Plan was served electronically or by regular United States mail; postage prepaid or by email on the following parties:

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